

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RONALD EDWARD DENARD,

Case No. 2:05-CV-75

Plaintiff,

v.

Hon. Richard Alan Enslen

RICH RUSSELL, *et al.*,

ORDER

Defendants.

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Plaintiff Ronald Edward Denard has objected to United States Magistrate Judge Timothy P. Greeley's Order of June 21, 2005, which rejected Plaintiff's filing of a motion for appointment of district court counsel. The filing was rejected because the case had earlier been closed by Judgment of June 9, 2005. (Plaintiff has since appealed the Judgment.) An order denying appointment of counsel by a magistrate judge is subject to review under 28 U.S.C. § 636 to determine whether it was clearly erroneous or contrary to law.

Upon review of the instant Order, the Court discerns no legal error. Plaintiff had no need for district court counsel upon the closure of the present case. The filing was also properly rejected under Western District of Michigan Local Civil Rule 5.5, which the Court reads as permitting the rejection of court papers as to closed cases (except for notices of appeal, proper motions pertaining to appeals, proper motions for post-judgment relief, and the like).

THEREFORE, IT IS HEREBY ORDERED that Plaintiff Ronald Edward Denard's Motion to Appeal Magistrate's Order (Dkt. No. 13) is **DENIED**.

DATED in Kalamazoo, MI:
August 11, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
UNITED STATES DISTRICT JUDGE